

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARZEL BRICKHOUSE,

*Petitioner,*

v.

COMMONWEALTH OF  
PENNSYLVANIA, et al.,

*Respondents.*

Case No. 2:20-cv-00313-JDW

**ORDER**

AND NOW, this 21st day of October, 2021, upon careful and independent consideration of the pleadings and available state court records, and upon review of the Report and Recommendations of United States Magistrate Judge Marilyn Heffley (ECF Nos. 19 & 28), Petitioner Marzel Brickhouse's Objections To Magistrate's Report And Recommendation (ECF No. 22), and Petitioner's Permission For Leave Of The Court To File Motion For Stay To File *Lafler* Claim (ECF No. 23), and for the reasons set forth in the accompanying Memorandum, it is **ORDERED** as follows:

1. Petitioner's Objections To Magistrate's Report And Recommendation (ECF No. 22) are **OVERRULED**;
2. Petitioner's Permission For Leave Of The Court To File Motion For Stay To File *Lafler* Claim (ECF No. 23) is **DENIED**;
3. The Report and Recommendations (ECF Nos. 19 & 28) are **APPROVED** and **ADOPTED**;
4. The Petition for a Writ of Habeas Corpus is **DENIED WITH PREJUDICE**;

5. A certificate of appealability **SHALL NOT** issue, in that the Petitioner has not made a substantial showing of the denial of a constitutional right nor demonstrated that reasonable jurists would debate the correctness of the procedural aspects of this ruling. *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); and

6. The Clerk of the Court shall mark this case **CLOSED** for statistical purposes.

**BY THE COURT:**

/s/ Joshua D. Wolson  
JOSHUA D. WOLSON, J.